

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SELMA DUNDAR, :  
 : NOT FOR PUBLICATION  
Plaintiff, :  
 : ORDER  
-against- :  
 : 04-CV-3217 (CBA)  
JO ANNE B. BARNHART, :  
Commissioner of Social Security, :  
 :  
Defendant. :  
-----X  
AMON, UNITED STATES DISTRICT JUDGE:

For the reasons set forth on the record today, the defendant's motion for judgment on the pleadings is granted in part and denied in part, and the plaintiff's cross-motion for judgment on the pleadings is denied. The Commissioner's denial of Social Security Income ("SSI") prior to March 25, 1999 is affirmed, as is the Commissioner's denial of Disability Insurance Benefits ("DIB") during any period for which such benefits are claimed. With regard to plaintiff's remaining claim for SSI benefits during the period beginning March 25, 1999 and ending December 31, 1999, the case is remanded for further findings on the effect of plaintiff's obesity on her capacity to perform sedentary work during that period. The Clerk of the Court is directed to enter judgment in accordance with this Order and to close the case.

SO ORDERED.

Dated: Brooklyn, New York  
August 1, 2005

Carol Bagley Amon  
United States District Judge